IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY FOURTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 21441 of 2004

Between:

1 Mohd. Fayazuddin Ghori, S/o.Late Mohd. Abbas Ghori,
R/o.H.No.4-1-358/20, Hanuman Tekdi, Hyderabad.
2 Mohd. Dawood Ghori, S/o.Late Mohd.Abbas Ghori,
R/o.H.No.344-1, phase-III, Borabanda, Yousufguda, Hyderabad.

..... PETITIONER(S)

AND

1 The Mandal Revenue officer, Balanagar Mandal, R.R.District.
2 The Revenue Divisional officer, Chevella Division, R.R.District, at Domalguda, Hyderabad.

.....RESPONDENT(S

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of mandamus or any other appropriate writ or writs, order or direction, declaring the action of the respondents in not issuing the pattadar pass books, title deeds in respect of the agricultural land bearing sy.No.41 and 42 admeasuring Ac.4-10 gts., situated at Boinpally village, Balanagar Mandal, R.R.District to the petitioner as illegal, arbitrary and contrary to law and consequently direct the respondents to issue pattadar pass books, title deeds to the petitioners forthwith and pass.

Counsel for the Petitioners: MR.VENKAT REDDY THIPPARTHI

Counsel for the Respondents: GP FOR REVENUE

The Court made the following :

ORAL ORDER:

The petitioners have filed this writ petition seeking a Mandamus to declare the action of the respondents in not issuing the pattadar pass books and title deeds to the petitioners in respect of the agricultural lands bearing S.Nos.41 and 42 admeasuring Ac.4.10 gts. situated at Boinpally village, Balanagar Mandal, R.R.District.

The petitioners state that in pursuance of the orders of the Collector, the 2nd respondent, by his order dated 16.8.1984, issued fresh ryothwari patta certificates in From No.III in favour of all the legal heirs of late Ahmed Gouri including the petitioners with equal shares in respect of Ac.1.06 gts. and Ac.13.33 gts. in S.Nos.41 and 42 respectively. In pursuance of the said orders, the petitioners made an application, dated 15.9.2004 to the 1st respondent for issuance of pattadar pass books and title deeds to their shares in the undivided property. After the lands were demarcated, the 1st respondent has not taken any action.

The learned counsel for the petitioners has contended that the 1st respondent has not taken any action in pursuance of their application for grant of pattadar passbooks and title deeds.

On the other hand, the learned Government Pleader for the respondents has contended that before taking any action, the 1st respondent has to follow the procedure as required under the A.P. Rights in Land & Pattadar Pass Books Act, 1971.

In the facts and circumstances of the case, I deem it appropriate to direct the 1st respondent to pass appropriate orders on the application, dated 15.9.2004 filed by the petitioners in accordance with the provisions of A.P. Rights in Lands and Pattadar Pass Books Act, 1971, within a period of eight weeks from the date of receipt of a copy of this order.

With the above direction, the writ petition is disposed of. There shall be no order as to costs.

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(K.C. BHANU, J.)

24th November, 2004.

To

1 The Mandal Revenue officer, Balanagar Mandal, R.R.District.
2 The Revenue Divisional officer, Chevella Diviison, R.R.District, at Domalguda, Hyderabad.

Two C.Cs. to the G.P. for Revenue, High Court Buildings, Hyderabad (OUT)

TwoC.D. copies

Note: Furnish copy in two days.

(b/o)

bcj